UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/687,154	10/16/2003	David S. Benco	LUC-438/Benco 33-24-24-27	6638

47382	7590	07/10/2006	EXAMINER

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ART UNIT	PAPER NUMBER
2617	

DATE MAILED: 07/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/687,154	BENCO ET AL.
	Examiner	Art Unit	
	Nicholas T. La	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>09 May 2006</u>.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-23</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-23</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☒ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on <u>16 October 2003</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

The Art Unit location of your application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 2617.

Response to Arguments

Applicant's arguments with respect to claims 1-23 have been considered but are moot in view of the new ground(s) of rejection.

Specification

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). The applicant discloses in the added limitation "irrespective of a location of the mobile handset" in independent claims 1, 9, and 16. The specification does not have sufficient writing to teach such invention. Correction is required.

Claim Objections

Claim 22 is objected to because of the following informalities: Claim 9 is recited as a dependent claim of claim 9; however, claim 9 is a method claim versus claim 22 is a system claim. Appropriate correction is required.

Claim Rejections - 35 USC § 112

1)   **Claims 1-20** are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The applicant discloses in the added limitation "irrespective of a location of the mobile handset" in independent claims 1, 9, and 16. The specification does not have sufficient writing to teach such invention. Correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2)   **Claims 1-20** are rejected under 35 U.S.C. 103(a) as being unpatentable

over An et al. (US Pub. No. 2002/0077062) and further in view of Seshadri et al.

(US Pub. No. 2004/0002958).

Regarding **claim 1**, An et al. teaches an information service system and

operation method thereof. An et al. further discloses a method for input of events

to a network operatively connected to a public data network communication

system and subsequent event notification to at least one mobile handset,

comprising the steps of:

detecting an occurrence of an event on a public data network

communication system (Figure 3, 4A, 4B; paragraph [0049]);

automatically creating an SMS message (Figure 3, 4A, 4B; paragraph

[0049]); and

automatically delivering the SMS message to a designated mobile

handset (Figure 3, 4A, 4B; paragraph [0049]).

However, An et al. does not teach expressly a system to delivering the

SMS message to a designated mobile handset irrespective of a location of the

mobile handset. In an analogous art, Seshadri et al. teaches a system to

delivering the SMS message to a designated mobile handset irrespective of a

location of the mobile handset (Figure 1, 2, 8, 11; paragraph [0067]-[0072]).

Therefore, it would have been obvious to one ordinary skill in the art at the time

of the invention was made to modify An et al. to include delivering the SMS

message to a designated mobile handset irrespective of a location of the mobile

handset in order to facilitating notification services via a notification architecture

that is highly scalable and can handle a large volume of queries with respect to a

plurality of disparate subscription service providers and subscribers.

Regarding **claim 9**, An et al. further discloses a method for input of events

and subsequent event notification to at least one mobile handset, comprising the

steps of: .

inputting to a network a computer generated message that is related to an

event (Figure 1, 3; paragraph [0043]-[0045]);

converting the computer generated message to a notification message in

SMS form (paragraph [0043]-[0049]); and

automatically sending the notification message in SMS form from the

network to at least one mobile handset (paragraph [0049]).

However, An et al. does not expressly teach a system to delivering the

SMS message to a designated mobile handset irrespective of a location of the

mobile handset. In an analogous art, Seshadri et al. teaches a system to

delivering the SMS message to a designated mobile handset irrespective of a

location of the mobile handset (Figure 1, 2, 8, 11; paragraph [0067]-[0072]).

Therefore, it would have been obvious to one ordinary skill in the art at the time

of the invention was made to modify An et al. to include delivering the SMS

message to a designated mobile handset irrespective of a location of the mobile

handset in order to facilitating notification services via a notification architecture

that is highly scalable and can handle a large volume of queries with respect to a
plurality of disparate subscription service providers and subscribers.

Regarding **claim 16**, An et al. further discloses a system for input of
events and subsequent event notification to at least one mobile handset,
comprising:

a network operatively connected to at least a public data network
communication system and to at least one mobile handset (Figure 1, 3;
paragraph [0027]-[0029]);

the network having an input module operatively connected to the public
data network communication system (paragraph [0041]-[0044]);

the network having a conversion module operatively connected to the
input module (Figure 2; paragraph [0038]-[0043]); and

the network having a communication module operatively connected to the
conversion module and to the at least one mobile handset (Figure 2; paragraph
[0038]-[0039]);

wherein when a computer generated message, which is related to an
event, is inputted from the public data network communication system, the
computer generated message in converted to a notification message in SMS
form, and the notification message is automatically sent in SMS form from the
network to the at least one mobile handset (Figure 1, 3; paragraph [0043]-
[0049]).

An et al. further teaches communication with respective mobile station over a mobile communication network (paragraph [0049]), however, does not expressly teach a mobile handset irrespective of a location of the mobile handset. In an analogous art, Seshadri et al. teaches sending a message to the mobile handset irrespective of a location of the mobile handset as long as an event has occurred (Figure 1, 2, 8, 11; paragraph [0067]-[0072]). Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to modify An et al. to include delivering the SMS message to a designated mobile handset irrespective of a location of the mobile handset in order to facilitating notification services via a notification architecture that is highly scalable and can handle a large volume of queries with respect to a plurality of disparate subscription service providers and subscribers.

Regarding **claim 2**, An et al. further teaches a method, wherein the method further comprises: inputting to the network a computer generated message that is related to the event; and converting the computer generated message to the SMS message (Figure 1, part #300; paragraph [0041]-[0043]).

Regarding **claim 3**, An et al. further teaches a method, wherein the method further comprises: recognizing, by the network, that the computer generated message is related to an event; and accepting, by the network, the event as an input to the network (paragraph [0041]-[0043]).

Regarding **claim 4**, An et al. further teaches a method, wherein, upon

inputting of the computer generated message that is related to an event, the

network automatically converts the computer generated message to a notification

message in SMS form and automatically delivers the notification message in

SMS form to the designated mobile handset (paragraph [0038], [0041]-[0043],

[0049]).

Regarding **claim 5**, An et al. further teaches a method, wherein the event

comprises: an information part; and a designation part that designates a mobile

handset (paragraph [0038]-[0041], [0046]-[0047]).

Regarding **claim 6**, An et al. further teaches a method, wherein, upon

inputting of the computer generated message that is related to an event, the

network automatically checks the designation part for a valid mobile handset

designation, and, if the mobile handset designation is valid, checks the

information part for a valid event format (paragraph [0015], [0043]-[0049]).

Regarding **claim 7**, An et al. further teaches a method, wherein, upon

inputting of the computer generated message, the network automatically checks

the designation part for a valid mobile handset designation (paragraph [0015],

[0046]-[0049]).

Regarding **claim 8**, An et al. further teaches a method, wherein, upon inputting of the computer generated message, the network automatically checks the information part for a valid event format (paragraph [0015], [0043]-[0045]).

Regarding **claim 10**, An et al. further teaches a method, wherein the method further comprises: recognizing, by the network, that the computer generated message is related to an event; and accepting, by the network, the event as an input to the network (paragraph [0041]-[0043]).

Regarding **claim 11**, An et al. further teaches a method, wherein the event comprises: an information part; and a designation part that designates a mobile handset (paragraph [0038]-[0041], [0046]-[0047]).

Regarding **claim 12**, An et al. further teaches a method, wherein, upon inputting of the computer generated message that is related to an event, the network automatically checks the designation part for a valid mobile handset designation, and, if the mobile handset designation is valid, checks the information part for a valid event format (paragraph [0015], [0043]-[0049]).

Regarding **claim 13**, An et al. further teaches a method, wherein, upon inputting of the computer generated message, the network automatically checks the designation part for a valid mobile handset designation (paragraph [0015], [0046]-[0049]).

Regarding **claim 14**, An et al. further teaches a method, wherein, upon

inputting of the computer generated message, the network automatically checks

the information part for a valid event format (paragraph [0015], [0043]-[0045]).

Regarding **claim 15**, An et al. further teaches a method, wherein, after

inputting of the computer generated message that is related to an event, the

network automatically converts the computer generated message to a notification

message in SMS form and automatically delivers the notification message in

SMS form to the designated mobile handset (paragraph [0038], [0041]-[0043],

[0049]).

Regarding **claim 17**, An et al. further teaches a system, wherein the input

module has a recognition module for recognizing that the computer generated

message is related to an event; and an accepting module for accepting the event

as an input to the network (paragraph [0041]-[0044]).

Regarding **claim 18**, An et al. further teaches a system, wherein the event

comprises: an information part; and a designation part that designates a mobile

handset (paragraph [0038]-[0041], [0046]-[0047]).

Regarding **claim 19**, An et al. further teaches a system, wherein the

designation part of the event is representative of a mobile handset designation,

and wherein the information part of the event is representative of a valid event
format (paragraph [0015], [0043]-[0049]).

Regarding **claim 20**, An et al. further teaches a system, wherein, after
inputting of the computer generated message that is related to an event, the
network automatically converts the computer generated message to a notification
message in SMS form and automatically delivers the notification message in
SMS form to the designated mobile handset (paragraph [0038], [0041]-[0043],
[0049]).

3)   **Claims 21-23** are rejected under 35 U.S.C. 103(a) as being unpatentable
over An et al. (US Pub. No. 2002/0077062) and further in view of Seshadri et al.
(US Pub. No. 2004/0002958).

Regarding **claims 21-23**, An et al. and Seshadri et al. further teaches
receiving an event-message encapsulated in an event message format (Seshadri
et al., Figure 1, 3, 8, 11), (An et al., Figure 1, 3), verifying validity of a destination
mobile telephone number corresponding to the mobile handset (Seshadri et al.,
paragraph [0142]), (An et al. paragraph [0052]-[0053]), and converting the
notification messages to a specified format (Seshadri et al.; paragraph [0093]-
[0094], [0122], [0279]-[0283]), and using SMS to send the notification messages
to the mobile (An et al., paragraph [0049]), (Seshadri et al., paragraph [0421]).
However, An et al. and Seshadri et al. does not expressly teach the format

having the following fields, EVENT-MESSAGE-HEADER followed by EVENT-

EVENT-DESTINATION, followed by EVENT_DETIMITER, followed by

EVENT_TEXT, followed by EVENT-TRAILER, parsing each EVENT-MESSAGE

to verify the HEADER, DETIMITER, and TRAILER fields; and converting, if the

mobile terminal handset supports SMS, the EVENT-MESSAGE to an SMS

message. In an analogous art, Sawyer et al. teaches the format having the

following fields, EVENT-MESSAGE-HEADER followed by EVENT-EVENT-

DESTINATION, followed by EVENT_DETIMITER, followed by EVENT_TEXT,

followed by EVENT-TRAILER, parsing each EVENT-MESSAGE to verify the

HEADER, DETIMITER, and TRAILER fields; and converting, if the mobile

terminal handset supports SMS, the EVENT-MESSAGE to an SMS message

(Figure 3; col. 2, line 5 to 26; col. 3, line 47 to col. 4, line 47; col. 5, line 5 to 41;

col. 6, line 43 to 55). Therefore, it would have been obvious to one ordinary skill

in the art at the time of the invention was made to modify An et al. and Seshadri

et al. notification system in order to facilitating inter-network message

communication between mobile station subscribers on a short message service

supported cellular network and users of other networks which maybe connected

thereto.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of

time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas T. La whose telephone number is (571)-272-8075. The examiner can normally be reached on Mon-Fri 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on (571)-272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from

the Patent Application Information Retrieval (PAIR) system. Status information

for published applications may be obtained from either Private PAIR or Public

PAIR. Status information for unpublished applications is available through

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free). If you would like assistance from a USPTO Customer Service

Representative or access to the automated information system, call 800-786-

9199 (IN USA OR CANADA) or 571-272-1000.

Nicholas La
06/27/2006

NICK CORSARO
PRIMARY EXAMINER